

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

DAVID ALLEN DEVANEY, Jr. (01)

No. 4:17-mj-604

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

Possession of a Firearm by a Felon

On or about February 6, 2017, in the Fort Worth Division of the Northern District of Texas, the defendant, **David Allen Devaney, Jr.**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, to wit: a Sturm, Ruger, and Co., Inc. model LCP pistol, .380 Auto caliber, serial number 371427678, in violation of 18 U.S.C. § 922(g)(1) and 924(a)(2).

I, Special Agent T. English, Affiant, under oath, duly state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, assigned to the Dallas IV HIDTA Office in the Dallas Field Division. The statements set forth in this affidavit are true and correct to the best of my knowledge and belief, but are not inclusive of all of the evidence or information in the case.

1. On or about February 6, 2017, Fort Worth Police Officers were in the area when a domestic disturbance call involving a man with a weapon at the Radisson Hotel was dispatched. An officer in an unmarked vehicle in the hotel parking lot observed Devaney, Jr. and a female exit the hotel and enter into a grey Mazda MZ6 sedan.

2. On this same date, an officer observed the Mazda MZ6 exit the parking lot with Devaney, Jr. driving and the female in the front passenger seat. The Mazda MZ6 traveled eastbound on Alta Mesa Boulevard. An officer observed Devaney, Jr. fail to use a right turn signal for at least 100 feet prior to making a right turn onto Oak Grove Road from Alta Mesa Boulevard.

3. An officer observed the Mazda MZ6 approach a stop sign and pull past the stop sign before stopping partially in the intersection. As the Mazda MZ6 began to turn eastbound onto Joel East Road, a marked Fort Worth Police patrol unit was directly behind the Mazda MZ6. An officer turning westbound onto Joel East Road observed Devaney, Jr. make a movement with the Devaney's right hand toward the passenger window and observed a dark object come out of the front passenger window. Officers in the marked patrol unit initiated a traffic stop on the Mazda MZ6. An officer located a Sturm, Ruger, and Co., Inc. model LCP pistol, .380 Auto caliber, serial number 371427678, inside a black soft holster that the officer observed Devaney, Jr. throw out of the right front passenger window. During the contact with officers, Devaney, Jr. told officers the firearm was Devaney, Jr.'s.

4. Your Affiant obtained and reviewed certified copies of 297th and 396th District Court, Tarrant County, court records and 249th and 413th Judicial District Court, Johnson County, court records involving Devaney, Jr. which showed Devaney, Jr. had been convicted of at least seven felony offenses each punishable by more than one (1) year in prison.

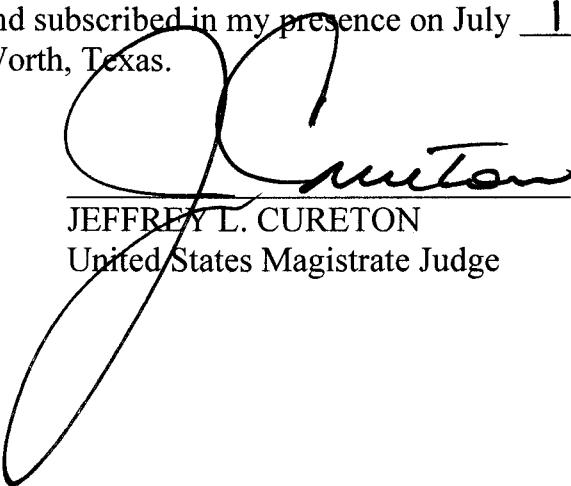
5. Your Affiant is an Interstate Nexus Expert and examined the Sturm, Ruger, and Co., Inc. pistol possessed by Devaney, Jr. Your Affiant determined the frame insert was not manufactured in the State of Arizona, and has, by virtue of its presence in Texas, traveled in or affected interstate or foreign commerce.

6. Although I have not listed all the facts regarding this offense, I believe that the facts stated above establish probable cause that the above-named defendant has violated 18 U.S.C. § 922(g)(1) and 924(a)(2).

T. English # 4926

T. English
Special Agent
Bureau of Alcohol, Tobacco, Firearm and Explosives

Sworn to before me, and subscribed in my presence on July 13, 2017
at 1:54 a.m./p.m., in Fort Worth, Texas.


JEFFREY L. CURETON
United States Magistrate Judge